

**MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

PATRICK ROBERT HARVEY v. MARC ANTRIM

Case No. 3:05-cv-0083 TMB

By: THE HONORABLE TIMOTHY M. BURGESS

PROCEEDINGS: ORDER FROM CHAMBERS

Having reviewed Magistrate Judge Roberts' Initial Report and Recommendation on Respondent's Motion to Dismiss (Docket No. 44), in conjunction with the parties' Objections and Responses (Docket Nos. 53), and the Magistrate's Final Report and Recommendation, (Docket No. 54), the Court hereby adopts and accepts the Final Report and Recommendation in its entirety. Consequently, Respondent's Motion to Dismiss, (Docket 44), is GRANTED in PART and DENIED in PART. The Motion is hereby granted as to Harvey's third claim and denied as to Harvey's first and second claim.

IT IS SO ORDERED.

Entered at the direction of the Honorable Timothy M. Burgess, United States District Judge.

DATE: January 9, 2008.